

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

JAMES CARL REILY,

Plaintiff,

v.

GLEN WHORTON, et al.,

Defendants.

3:06-CV-00214-PMP- VPC

ORDER

Before the Court for consideration are Defendants Motion to Dismiss (Doc. #6) filed July 2, 2007. On December 17, 2007, the Honorable Valerie P. Cooke United States Magistrate Judge, entered a Report and Recommendation (Doc. #9) recommending that Defendants' Motion to Dismiss (Doc. #6) be granted. Plaintiff James Carl Reily did not file a response thereto failing to exhaust his administrative remedies.

The Court has conducted a de novo review of the record in this case in accordance with 28 U.S.C. § 636(b)(1)(B) and (C) and Local Rule IB 3-2 and determines that Magistrate Judge Cooke's Report of Findings and Recommendation (Doc. #9) should be Affirmed.

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1 IT IS THEREFORE ORDERED that Defendants Motion to Dismiss (Doc. #6) is  
2 hereby GRANTED.

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4 DATED: January 18, 2008.

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7 PHILIP M. PRO  
8 United States District Judge  
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